

# INSTRUCTIONS FOR FILING AN APPLICATION FOR ALCOHOLIC BEVERAGE CONTROL (ABC) CATERER'S LICENSE

The following instructions are intended for individual and retail applicants who are applying for an Alcoholic Beverage Control (ABC) caterers license. You must call an ABC Licensing Specialist to schedule an appointment for the submission of your application. Applications will only be accepted when ALL of the information is provided. To schedule an appointment call (202) 442-4423 between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday and ask to speak to a caterer specialist.

### The application must be signed by the following:

If the applicant is a **sole proprietor**, the individual must sign.

If the applicant is a **partnership**, all partners must sign and submit a copy of the partnership agreement.

If the applicant is a **corporation**, the President or Vice President must sign. Certified Articles of Incorporation and a Certificate of Organization must be provided. These documents may be obtained from the Department of Consumer and Regulatory Affairs (DCRA), Corporations Division. Also, minutes of the Board of Director's meeting verifying the election of the officers and a copy of stock certificates must be submitted.

If the applicant is an **LLC**, the managing member(s) must sign. The Articles of Organization, the Operating Agreement, Certificate of Organization and Certificate of Good Standing must be submitted. These documents may be obtained from the DCRA, Corporations Division.

If the applicant is a **Limited Partnership**, the general partner(s) must sign. If the general partner is a corporation, the documents may be obtained from the DCRA, Corporations Division. Also, minutes of the Board of Director's meeting verifying the election of the officers and a copy of stock certificates must be submitted.

General Instructions. Please note that police clearances, Personal History Form and Information Release Affidavits will be waived for an applicant who currently holds a Class C or D license by the same exact licensee.

- 1. All applications must be filed in duplicate.
- 2. All persons applying for an ABC License must be at least 21 years of age.
- 3. Applications must be submitted in person. Please bring a valid government issued identification with you.
- 4. Please note the term "APPLICANT" as used in this application designates the person in whose name the license will be issued if the application is approved.
- 5. All applicants must obtain a police clearance from the District of Columbia's Metropolitan Police Department, at 300 Indiana Avenue, NW, Room 3058, Washington, DC 20001, Monday through Friday. In addition, you must submit a police clearance for the jurisdiction in which you currently reside. If you are a holder of a current license or permit this requirement is waived.
- 6. All persons with a misdemeanor conviction during the last five (5) years or a felony conviction during the last ten (10) years must submit a copy of the court disposition.
- 7. Application forms must be notarized where applicable.

- 8. <u>FEE</u>: The fee varies. Your licensing specialist will provide you with the correct license fee that is due. There is a processing fee of seventy-five dollars (\$75.00). There is a transfer fee of two hundred and fifty dollars (\$250.00). Attached is a copy of fees. All payments can be made in the form of a cashier's check, certified check, business check, attorney's check, personal check, or money order, payable to the D.C. Treasurer, cash, or by credit card (except for American Express).
- 9. <u>OTHER DOCUMENTS:</u> All applicants must file for a D.C. Business Tax number at the Office of Tax and Revenue (OTR). Please have all individuals that have completed the Personal History Form and Information Release Affidavits, also complete and submit a Clean Hands Certification. All transferors and any transferee's whose entity has been in existence for more than ninety (90) days must also submit a Certificate of Good Standing from OTR.
- 10. Attach extra sheets if the space provided under any item is inadequate. Write, "see attachment" in any such space, and show name of licensee and date of application at the top of each sheet.

**NOTE:** The D.C. Department of Consumer & Regulatory Affairs (DCRA), Corporations Division and the Office of Tax and Revenue (OTR) are located at 941 North Capitol Street, NE, 1<sup>st</sup> Floor, Washington, DC 20002.

### Fees based upon existing catering District gross annual receipts

More than \$1,000,000 per year gross annual receipts	\$5,000
\$1,000,000 or less per year gross annual receipts	\$4,000
\$500,000 or less per year gross annual receipts	\$3,000
\$300,000 or less per year gross annual receipts	\$2,000
\$200,000 or less per year gross annual receipts	\$1,000
\$100,000 or less per year gross annual receipts	\$750
\$50,000 or less per year gross annual receipts	\$500
\$25,000 or less per year gross annual receipts	\$300

### **Caterer Prorated License Fee Schedule**

The following fees are prorated based on the month you submit your application, and are based on your gross annual receipts in the District.

Annual Gross Receipts	\$1,	000,000 +	5500,001 - 1,000,000	*	300,001 - \$500,000	 200,001 - \$300,000	00,001 - 200,000	50,001 - 100,000	25,001 - \$50,000	\$0 - \$25,000
Licensure Period										
April - September	\$	5,000	\$ 4,000	\$	3,000	\$ 2,000	\$ 1,000	\$ 750	\$ 500	\$ 300
October	\$	2,500	\$ 2,000	\$	1,500	\$ 1,000	\$ 500	\$ 375	\$ 250	\$ 150
November	\$	2,083	\$ 1,667	\$	1,250	\$ 833	\$ 417	\$ 313	\$ 208	\$ 125
December	\$	1,667	\$ 1,333	\$	1,000	\$ 667	\$ 333	\$ 250	\$ 167	\$ 100
January	\$	1,250	\$ 1,000	\$	750	\$ 500	\$ 250	\$ 188	\$ 125	\$ 75
February	\$	833	\$ 667	\$	500	\$ 333	\$ 167	\$ 125	\$ 83	\$ 50
March	\$	417	\$ 333	\$	250	\$ 167	\$ 83	\$ 63	\$ 42	\$ 25

### Filing Instructions.

Please read all questions carefully. Each question must be answered. If a question or one portion of the question does not apply; fill in the word "NONE".

#### **ABC APPLICATION:**

- 1. a. Check the CATERER box.
  - b. If the applicant currently holds another on-premise retailer license please check the appropriate boxes and enter license number.
  - c. Please indicate the estimated amount of annual gross receipts in the District and provide a copy of (1) District of Columbia franchise tax return, or (2) Schedule C if sole proprietor, or (3) IRS Form 1120 or 1120S if a corporation, or (4) IRS Form 1065 if a partnership.
  - d. If the applicant acknowledges annual gross receipts in the District in excess of \$1 million, they may check this box in lieu of providing the documents requested in 1c above, and pay the license fee associated with caterer licenses for that income class.
- 2. Print applicant's name (Last Name, First Name, Middle Initial);
- 3. Print applicant's trade name;
- 4. Print applicant's business address;
- 5. Print applicant's mailing address if different from business address;
- 6. Print applicant's business telephone number;
- 7. Print applicant's fax number;
- 8. Print applicant's email address;
- 9. Check appropriate box for type of applicant: Sole Proprietor, Corporation, Partnership, LLC or Other (PLLC, PA, PC);
- 10. Please list the name, title and address of the Sole Proprietors, and all partners;
- 11. Please list if a corporation gives the number of stocks and shares. If so, state authorized, issued, name and title, address and number of shares/25% interest or more held by each person;
- 12. Check the appropriate box as to whether any administrative action has been taken against the applicant or any person listed above regarding ABC violations in DC or any state. If yes, please explain what administrative actions were taken, date, location of action, and the disposition:
- 13. **Certification/Affidavit:** Please read, and have your signature notarized.
- 14. Please answer the question: In what language do you need vital documents translated, if any?

#### ADDITIONAL DOCUMENTS REQUIRED FOR A CATERERS LICENSE:

## FINANCIAL AFFIDAVIT. Please note that this form is waived for an applicant who currently hold a Class C or D license by the same exact licensee.

Provide trade name of the establishment. Please be sure that Section B exceeds Section A. Although you will complete this form, please be advised that the Licensing Specialist or the ABC Board may request the actual documentation of the source of the monies.

- **A.** Please list the cost/expenses for: Purchase/Sale Price for Business or Stock, Down Payment, Amount Financed, Working Capital, Inventory and Total Cost Expenses;
- **B.** Please list the source of funds to satisfy the transaction (\$ amounts), total(s), multiple or sole source must agree with the total cost expense. Funds dispersed to satisfy the transaction prior to the application must be accounted for in the areas: 1. Cash on Hand, 2. Savings Account, 3. Checking Account, 4. Certification of Deposit, 5. Promissory Notes, 6. Loans, 7. Other and Total Source Funds;

Bulk Sales Notification (If Applicable): Please read, and have your signature notarized.

# <u>PERSONAL HISTORY AND INFORMATION RELEASE AUTHORIZATION AFFIDAVIT</u>. Please note that this form is waived for an applicant who currently hold a Class C or D license by the same exact licensee.

All applicants such as sole proprietor, partner, general partner in a limited partnership, officer(s), director(s) or managing manager in a LLC, corporate officer(s) or director(s) in a corporation must each complete a personal history and information release authorization affidavit.

Check the appropriate box for either: New Application, Transfer or Stock Transfer, which explains why you are filing the personal history and information release authorization affidavit. Also, provide the trade name of the business and the number of shares you hold, if applicable.

- 1. Print applicant's name (Last Name, First Name, Middle Initial);
- Print applicant's title;
- 3. Print applicant's home address;
- 4. Print applicant's telephone number;
- 5. Print applicant's date of birth;
- 6. Print applicant's place of birth;

- 7. Print applicant's list of aliases;
- 8. Check appropriate box if you are eligible to work in the U.S. If naturalized citizen, please provide copy. Also list date, place and certification number;
  - a. If applicable provide your green card number, visa number or work permit and expiration date;
- 9. Check appropriate box for the following questions, "Have you ever":
  - received or applied for any alcoholic beverage license in DC or any state;
  - had any alcoholic beverage license suspended or revoked; or
  - been convicted of a misdemeanor during the last five (5) years or a felony during the last ten (10) years. If yes, attach copy of the court disposition;
- 10. Check appropriate box as to whether any member of your immediate family now holds an ABC license or has any financial interest, directly or indirectly, in any ABC licensed establishment in DC.

# INFORMATION RELEASE AUTHORIZATION. Please note that this form is waived for an applicant who currently hold a Class C or D license by the same exact licensee.

Please complete this form by providing your signature, full name (typed or printed), other names used, social security number, current address, home phone number and date. Please have your signature notarized.

OTHER FORMS NEEDED WHEN, YOU COMPLETE A PERSONAL HISTORY AND INFORMATION RELEASE AUTHORIZATION: All applicants must obtain a police clearance from the District of Columbia's Metropolitan Police Department, located at 300 Indiana Avenue, NW, Room 3058, Washington, DC 20001, Monday through Friday, between the hours of 9:00 a.m. to 3:00 p.m. In addition, you must provide a police clearance for the jurisdiction in which you currently reside.

#### **ATTORNEY/AGENT DESIGNATION:**

Have your attorney/agent complete this form, if applicable. The attorney/agent should provide the date, enter your (attorney/agent) appearance, applicant's name and trade name. Check appropriate box if it is a Retailer, Wholesaler, Class A, B, C, D or Caterer. Provide name (attorney/agent), address and telephone number. This form may be used at any time by an attorney/agent who wishes to represent an applicant.

### **CLEAN HANDS CERTIFICATION:**

This certification is required by the Clean Hands Act of 1996; effective May 11, 1996, , (D.C. LAW 11-118, D.C. OFFICIAL CODE SEC. 47-2861 *ET SEQ.*) before you are eligible to receive a license or permit. Please have the Office of Tax and Revenue (OTR), located at 941 North Capitol Street, NE, 1<sup>st</sup> Floor, Washington, DC 20002 sign this prior to the submission of the application.

#### SPECIAL NOTICE

The District of Columbia will provide the appropriate services and auxiliary aids, including sign language interpreters, whenever necessary to ensure effective communication with members of the public who are deaf, hearing impaired or who have other disabilities affecting communications. Requests for services and auxiliary aids should be made at least ten days prior to any scheduled hearing. Please notify the ADA Coordinator at (202) 442-4423.



# GOVERNMENT OF THE DISTRICT OF COLUMBIA ABRA APPLICATION – CATERER'S LICENSE

### FOR OFFICIAL USE ONLY

Application Number:	New		Date Accepted:	
License Number:	Transfer		Date Issued:	
Control Number:	Transfer \		Hearing Date:	
	<b></b>	Without Sale	Accepted By:	
Fees Paid: \$	Stock Tra		nse Period: From To	
Board Approved Date:	Board Member's Initi		1136 1 61104. 1 10111 10	
		OMPLETED BY AF	PPI ICANT	
1a. Type of license: Caterer	10 00	SIMI ELTED DI A	LIOTUL	
b. Does applicant currently hold one of t	he following on-premise	s retailer licenses?		
l C				
D Restaurant	Tavern Nightclu	ub Hotel Club	Multi-Purpose Facility License	number
c. Estimated amount of annual gross reconf Columbia franchise tax return; or (2) \$	ceipts in DC:		. Please attach a copy of the applica	nt's most recent (1) District
	Schedule C if a sole prop	prietor; or (3) IRS For	m 1120 or 1120S if a corporation; or	(4) IRS Form 1065 if a
partnership. d. I/We certify that I/we have gross	e receipte in the District i	in execs of ¢1 million	n annually, and agree to pay the cate	ror licence acceptated with
caterer licenses for that income classific				ei licerise associated with
2. Name of Applicant (Last Name, First Name		3. Trade Name		
4. Business Address		E Mailing Address if	different from business	
4. Business Address		5. Mailing Address if	different from dusiness	
6. Business Telephone Number		7. Fax Number	8. Email Address	
( )		( )		
- · · · ·	roprietor Corpora	ition Partners	hip LLC Other (PLLC, F	PA, PC)
10. List the Sole Proprietors, and All Par				
Name and Title			Address	
11. If a Corporation gives the number of	stocks and shares:	Authorized	lssued	
Name and Title			Address	# of Shares/ 25% interest or more
Name and Title			Address	25% interest of more
12. Has there been any administrative a	ction taken against the	applicant or any pers	on lieted above regarding ARC violation	one in the District
12. Has there been any administrative a				
of Columbia or any state?  Yes			on listed above regarding ABC violation catrotive actions were taken, location c	
of Columbia or any state?  Yes				
of Columbia or any state?  Yes				
of Columbia or any state? Yes disposition.	No If yes, please	explain what admini	strative actions were taken, location o	of action, and the
of Columbia or any state? Yes disposition.  13. Certification: I hereby certify under p	No If yes, please	e explain what admini	strative actions were taken, location of	of action, and the
of Columbia or any state? Yes disposition.  13. Certification: I hereby certify under p	No If yes, please	e explain what admini	strative actions were taken, location o	of action, and the
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of Columbia or any state? Yes disposition.  13. Certification: I hereby certify under p knowledge and belief. I will also columbia.	No If yes, please	e explain what adminication in this application gulations related to the before me	and attachments are true and correct e alcoholic beverage license for whic	to best of my h I have applied.
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of Columbia or any state? Yes disposition.  13. Certification: I hereby certify under p knowledge and belief. I will also column Signature	No If yes, please	on in this application gulations related to the before me Notary	and attachments are true and correct e alcoholic beverage license for whice My correct expire true and	to best of my h I have applied.
of Columbia or any state? Yes disposition.  13. Certification: I hereby certify under p knowledge and belief. I will also column Signature Signature S	No If yes, please perjury that the information form to all laws and regularized and sworn to an this day,	on in this application gulations related to the before me Notary before me	and attachments are true and correct e alcoholic beverage license for whice Public expir	to best of my h I have applied.  mmission es on
of Columbia or any state? Yes disposition.  13. Certification: I hereby certify under p knowledge and belief. I will also column Signature Signature Signature Signature of Si	No If yes, please  perjury that the information of the second of the sec	on in this application gulations related to the before me Notary before me before me Notary	and attachments are true and correct e alcoholic beverage license for whice My correct expire My corre	to best of my h I have applied.  mmission es on
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of Columbia or any state? Yes disposition.  13. Certification: I hereby certify under p knowledge and belief. I will also colour Signature Signatu	No If yes, please perjury that the information form to all laws and regular to an this day, subscribed and sworn to an this day, subscribed and sworn to an this day, subscribed and sworn to an this day,	e explain what adminication in this application gulations related to the before me	and attachments are true and correct e alcoholic beverage license for whice My correct expire My corre	to best of my h I have applied.  mmission es on

### FINANCIAL AFFIDAVIT

Trade Name		
A. List the cost/expenses below.		
Purchase/Sale Price for Business or Stock	\$	
Down Payment	\$	
Amount Financed	\$	
Working Capital \$		
Inventory	\$	
Total Cost Expenses	\$	
B Source of funds to satisfy the transaction (\$amounts) Total(s) (multiple or sole source) must agree		

B. Source of funds to satisfy the transaction (\$amounts). Total(s) (multiple or sole source) must agree with the total cost expense. Funds dispersed to satisfy the transaction prior to the application must be accounted for in the area below 1-7.

1. Cash on Hands	\$
2. Savings Account	\$
3. Checking Account	\$
4. Certificate of Deposit	\$
5. Promissory Notes	\$
6. Loans	\$
7. Other	\$
Total Source Funds	\$

BULK SALES NOTIFICATION If Applicable: If you are purchasing an on-going business currently licensed by the ABC Board, you must comply with the District of Columbia Bulk Sales Act, D.C. Official Code Section 28:6-101 *et.seq.* As purchaser, you must obtain a list of the seller's existing creditors and other information as provided by law, which is signed and sworn to by the seller. This list must be kept for six (6) months or filed with the Recorder of Deeds. Not more than ten (10) days before you take possession of, or pay for the business, you must send a notice to each creditor (delivered in person or sent by registered mail), which states, at a minimum, the following:

- 1. That a "Bulk" transfer is about to be made.
- 2. The names and business address of the seller and purchaser and any other business name and address used by the seller within the past three (3) years.
- 3. Whether or not the debts of the seller are to be paid as they fall due, and if so, the address to which the creditors should send their bills.
- 4. If the debts are not to be paid in full or the purchaser is not sure that the debts are to be paid in full, then the notice should state those items listed in D.C. Official Code Section 28:6-107(2)

Applicant Signature	Print Name
	The foregoing was subscribed and sworn to before me on this day of, 20
	Notary Public
	My Commission Expires on

Note to Applicant: This form must be completed for all new applicants and changes of ownership. Additional documents may be requested by the administration.



### **Personal History and Information Release Authorization Affidavit**

All applicants must obtain a police clearance from the District of Columbia's Metropolitan Police Department, Room 3058, located At 300 Indiana Avenue NW, Washington, D.C. 20001, Monday thru Friday, between the hours of 9:00am to 3:00 pm (fee is required). In addition, a police clearance for your current residence and from each state in which you have resided during the last five years.

Note: Please complete a personal history for each of the following:

Sole Proprietor, Partner(s), Corporate Officers, Directors of Corporation, Managing Member(s), General Partner(s).

New Application	Transfer		Stock Transfer			
Trade Name		Number of Shares of Stock _				
	_	- pp				
Name (Last, First, Middle Initial)		2. Title				
3. Home Address		4. Telephone Number ( )				
5. Date of Birth /		6. Place of Birth				
7. List Aliases	7. List Aliases					
8. Are you eligible to work in the United States? Yes No (If you are a naturalized citizen, attach copy). Give date, place and certificate number below. If no please complete 8a.						
8a. If applicable, attach copy of the following document:	Green Card Nu	ımber:				
Visa Number: V	Vork Permit:		Expiration Date:			
9. Have you ever:						
<ol> <li>received or applied for any alcoholic beverage license in the D.C. or any state or territory</li> <li>had any alcoholic beverage license suspended or revoked</li> <li>been convicted of a misdemeanor during the last five (5) years or a felony during the last ten (10) years (If yes, attach a copy of the court disposition)</li> </ol> Yes No Yes No No Yes No No						
10. Does any member of your immediate family now hold an ABC license or have any financial interest, directly or indirectly, in any ABC licensed establishment in the District of Columbia?  Yes No						

#### INFORMATION RELEASE AUTHORIZATION

CAREFULLY READ THIS AUTHORIZATION TO RELEASE INFORMATION ABOUT YOU, THEN SIGN AND DATE IN INK.

I authorize any agent from the Alcoholic Beverage Regulation Administration, to obtain any information, relating to my activities, from employers, criminal justice agencies, financial or lending institutions, credit bureaus, consumer reporting agencies and retail business establishments, or individuals. This information may include, but is not limited to, my residential, personal, or criminal history record and financial and credit information.

I further authorize release of my criminal history from criminal justice agencies for the purpose of determining my eligibility for a liquor license as a licensee, owner, manager, or solicitor.

I understand that the information released is for official use by the Alcoholic Beverage Regulation Administration, and that these users may redisclose this information as authorized by law.

I release any individual, including records custodians, from all liability for damages that may result to me because of compliance, or any attempts to comply, with this authorization. This release is binding, now and in the future, on my heirs, assigns, associates and personal representative(s) of any nature. Copies of this authorization that show my signature are as valid as the original release signed by me.

Failure to complete this form may result in delays of obtaining your license or permit and may result in the license or permit being denied if this information cannot otherwise be obtained.

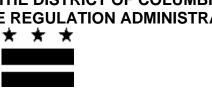
Signature		Full name type or printed				
Other names used		Social security number				
Other names used		Other names used				
Current address		Home phone number	 Date			
belief. I further, here		oing information is true and correct to rage Control Board or its employees to ABC license or permit.				
Signature		Title				
Print Name & Title						
	SUBSCRIBED AND SWORN 1	ΓΟ BEFORE ME THIS DAY O	F, 200			
		NOTARY PUBLIC				

My Commission expires on:



### **ATTORNEY / AGENT DESIGNATION**

Date:						
Please enter my appearance as Attorney / Agent for:						
Applicant's Nar	me/Trade:					
Retailer	Wholesaler	Caterer	☐ Class ☐ A	□B □C □D		
Name		_				
Address		_				
Telephone Numb	 Nor	<del></del>				



FOR OFFICIAL USE ONLY
OFFICE OF TAX &
REVENUE (OTR <b>)</b>
SIGNATURE
DATE

#### PLEASE SIGN AND RETURN BOTH COPIES OF THIS CLEAN HANDS CERTIFICATION

TO THE APPLICANT: PLEASE READ CAREFULLY AND COMPLETELY BEFORE SIGNING. A FALSE STATEMENT ON THIS CERTIFICATION REQUIRES THAT THE ADMINISTRATION PROCEED IMMEDIATELY TO REVOKE THE LICENSE OR PERMIT FOR WHICH YOU ARE NOW APPLYING, AND FINE YOU \$1,000.00 (ONE THOUSAND DOLLARS). THIS CERTIFICATION IS REQUIRED BY THE CLEAN HANDS ACT OF 1996; EFFECTIVE MAY 11, 1996, (D.C. LAW 11-118, D.C. OFFICIAL CODE SEC. 47-2861 et seq.) BEFORE YOU ARE ELIGIBLE TO RECEIVE A LICENSE OR PERMIT.

l,	(Name – Print or Type)	, as, (Applicant's Title)				
certify tl	hat	, social security number				
	, as of this date	, does not owe more than \$100.00 to the				
District	of Columbia Government as a result of:					
1.	Fines, penalties or interest assessed pursuant to the Litt (D.C. Law 6-100; D.C. Official Code Sec. 8-801 <i>et seq.)</i>	ter Control Administrative Act of 1985, effective March 25, 1986				
2.	Fines, penalties or interest assessed pursuant to the Ille (D.C. Law 10-117; D.C. Official Code Sec. 8-901 <i>et seq.</i>	gal Dumping Enforcement Act of 1994, effective May 20, 1994 .);				
3.	3. Fines, penalties or interest assessed pursuant to the Department of Consumer & Regulatory Affairs Civil Infraction Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code Sec. 2-1801.01 et seq.); or					
4.	Past due taxes; or					
5.	Past due District of Columbia Water and Sewer Authorit	y Service Fees; or				
6.	Traffic Adjudication fines or penalties assessed pursuan	t to Chapter 25 of Title 50.				
applyin		dministration will move to revoke the license or permit for which I am her understand that the Administration may conduct an investigation to				
l under comple	estand that this Certification is now required as documenting this Certification, I am not guaranteed that my lice	entation to accompany my application for a license or permit, and that by ense or permit will be approved.				
Signatu	ure	Print Name/Title				
ABC A	pplication Number	ABC License Number				

For Tax Assistance Call (202) 727-4829

CC: Office of Tax and Revenue

(REV 4/03)